



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,361	06/07/2001	Matthew R. Labarge	60001.0044US01/MS#154687.	9164
7590 06/23/2009 MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, MN 55402-0903				
EXAMINER SPOONER, LAMONT M				
ART UNIT		PAPER NUMBER		
2626				
MAIL DATE		DELIVERY MODE		
06/23/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/876,361

Applicant(s)

LABARGE, MATTHEW R.

Examiner

LAMONT M. SPOONER

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-27, 30-40 and 42-44 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) 24-27, 33, 38-40 and 42-44 is/are allowed.
6) ☒ Claim(s) 31, 32 and 34-37 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 6/7/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Introduction

1. This office action is in response to applicant's amendment filed 1/02/08. Claims 24-27, 30-40, and 42-44 are currently pending and have been examined.

Response to Arguments

2. Applicant's arguments, see remarks, filed 4/7/09, with respect to the rejection(s) of claim(s) 24-40 and 42-44 under 35 USC 103 have been fully considered and are persuasive.

Therefore, the rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection, regarding claims 31, 32, and 34-37 is made in view of Greco (US 6,804,704) in view of Thurmair (EXCHANGE INTERFACES FOR TRANSLATION TOOLS, 1997), further in view of Hypertext Transfer Protocol.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 32 recites the limitation "The computer-readable storage medium" in line 1. There is insufficient antecedent basis for this limitation in the claim. The Examiner notes, the claim should probably depend from claim 31. For purposes of examination the Examiner has included the rejection of claim 32 as depending from claim 31. Any objection to this assertion should be noted in the applicant's response.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 31 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greco et al. (Greco, US 6,804,705) in view of Thurmain (EXCHANGE INTERFACES FOR TRANSLATION TOOLS, 1997), further in view of Hypertext Transfer Protocol.

As per **claim 31**, Greco teaches a computer readable storage medium having computer executable instruction (Fig. 2-his system, C.7 line 37-46-his computer readable medium and software) for submitting a word processing document for translation services, the instructions comprising:

obtaining an original pre-translated word processing document (C.4 lines 6-12-his Microsoft Word document, C.4 lines 59-60), wherein the original pre-translated word processing document includes word processing text elements and non-word processing text elements (ibid-his document creation and image);

receiving a request on a word processor associated with the original pre-translated word processing document to translate the original pre-translated word processing document from a first language to a second language (Fig. 5B-his translate menu option);

sending a request to a redirector server (C.13 lines 15-23-his available document services directed to by client and server connection, by tool bar selection), wherein the request includes an identifier of the first language, and an identifier of the second language, wherein the identifier of the first language and the identifier of the second language dictate a selection of an address of a translation by the redirector server (C.13 lines 15-23, 55, 56-his available document services for translation, Fig. 4 item 430, C.9 lines 19-25 his menu options and function to translate as inherently/necessarily comprising the identifiers for translating from a first

language to a second language, and thus the particular translation service and corresponding address of the service inherent, C.8 lines 1-5 his menu);

receiving, from the redirector server, the address for a translation service for translating the original pre-translated word processing document from the first language to the second language in accordance with the language identifier for the first language and the language identifier for the second language (ibid-regarding the language translation, having necessary first and second language identification/identifier for translation service, C.13 lines 15-23-his translation document services);

saving, on a user computer, a first version of the original pre-translated word processing document, wherein the first version includes the word processing text elements and the non-word processing text elements (C.9 lines 1-5-his saving of his document);

sending the version to the translation service indicted by the address received from the redirection server (C.13 lines 15-33, Fig. 4 item 430, Fig. 5B-his translate menu option);

receiving a translated version from the translation service, wherein the translated second version includes a translation of the word processing text elements and the word processing text elements translated from the

first language to the second language according to the identifier of the first language and the identifier of the second language (C.9 lines 23-26-his service provider translation of the document); and

displaying the translated version, wherein the translated second version is displayed in a display format of the original pre-translated word processing document (C.9 lines 19-26, and C.12 lines 45-53).

Greco lacks explicitly teaching generating a second version of the original pre-translated word processing document, wherein the second version includes

an identifier of the first language and an identifier of the second language,

tags that point to non-word processing elements saved on the first version of the word processing document stored on the computer; and the word processing text elements; and

receiving a translated version from the translation service, wherein the translated second version includes the tags that point to the non-word processing elements saved on the first version of the word processing document stored on the user computer.

sending the second version to the translation service indicated by the address received from the redirection server; and

obtaining the non-word processing text elements of the first version by implementing the links of the translated second version to retrieve the non-word processing text elements from the saved first version of the original pre-translated word processing document, and

displaying the translated second version with the non-word processing text elements populated from the links, wherein the translated second version is displayed in a display format of the original pre-translated word processing document.

However, Thurmair teaches the lacking elements:

an identifier of the first language and an identifier of the second language (p.77 section 2.3- inherent to his transmitting the file to be translated to a second language),

tags that point to non-word processing elements saved on the first version of the word processing document stored on the computer (p.74-his non-text sections, p.77-his layout information for non-text portions); and the word processing text elements); and

receiving a translated version from the translation service, wherein the translated second version includes the tags that point to the non-word processing elements saved on the first version of the word processing document stored on the user computer (p.77 section 2.3-his translated text portions re-inserted into the shadow file).

sending the second version to the translation service indicated by the address received from the redirection server (p.77 section 2.3 wherein the transmitted text portions as the second version of the document); and

obtaining the non-word processing text elements of the first version by implementing the links of the translated second version to retrieve the non-word processing text elements from the saved first version of the original pre-translated word processing document (p.77 section 2.3, wherein the pointers are implemented and "re-inserted into the shadow file to construct a full target language document"), and

displaying the translated second version with the non-word processing text elements populated from the links, wherein the translated second version is displayed in a display format of the original pre-translated word processing document (p.77 section 2.3, wherein the pointers are

implemented and "re-inserted into the shadow file to construct a full target language document").

Therefore, at the time of the invention, it would have been obvious to modify Greco's stored document with Thurmair's shadow document and sending the second version which requires translation to the translation service and receiving the second translated version, and reconstructing the document. The motivation for doing so would have been to save memory space and cost in the transmission of a file for translation (Thurmair p.77 p.77 section 2.3) and provide a translation and display of the translated results in a format similar to the original document.

Greco does not explicitly teach sending a request to a redirector server, wherein the request includes an address of the redirector server, an identifier of the first language, and an identifier of the second language, wherein the identifier of the first language and the identifier of the second language dictate a selection of an address of a translation server by the redirector server.

However, Hypertext Protocol teaches a request (see HTTP Methods, "The Get Method", wherein as admitted prior art, the Examiner notes that the GET request is used to send data to the server, more specifically, it is a

string that identifies a data resource on the server (i.e., a query element to a specific database, GET/path/script.cgi?field1=value1&field2=value2 HTTP/1.0). In an online translation service, using HTML and HTTP, it is necessary that the parameters are sent with the request in order for the service provider to be able to communicate the desired results with the server, wherein the parameters would include, the address of Greco's server, and the identifier of a first and second language, and the address of the server able to perform the function of the translation service.

Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine the above request parameters with Thurmain combined with Greco's transmission of information to a server providing the benefit of utilizing a well known method of sending data via the Internet, to provide for a specific query information/values for a first and second language.

As per **claim 32**, Greco, Thurmain and HTTP make obvious the computer readable storage medium of claim 31, wherein the redirector server is a remote server accessible via a distributed computing environment (Fig. 1 items 120 and 130).

As per **claim 35**, Greco, Thurmair and HTTP make obvious the computer readable storage medium of claim 31, but lacks explicitly teaching wherein sending the second version includes sending the second version with an HTTP POST request. However, HTTP teaches that a POST request is used to send data to a server to be processed (by definition and purpose, HTTP "The POST method"). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine a POST request with Thurmair combined with Greco's transmission of information to a server providing the benefit of utilizing a well known method of sending data via the Internet.

As per **claim 36**, Greco, Thurmair and HTTP make obvious the computer readable storage medium of claim 31, but lack explicitly teaching wherein sending a request to the redirector server includes an HTTP GET request, wherein the HTTP GET request includes the language identifier for the first language identifier for the second language. However, as admitted prior art, the Examiner notes that the GET request is used to send data to the server, more specifically, it is a string that identifies a data resource on the server (for example a specific query element to a specific database, GET /path/script.cgi?field1=value1&field2=value2 HTTP/1.0). HTTP further

teach the GET request to send data, with parameters (HTTP "The GET method"). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine a GET request with Thurmair combined with Greco's transmission of information to a server providing the benefit of utilizing a well known method of sending data via the Internet, to provide for a specific query information/values for a first and second language.

As per **claim 37**, Greco, Thurmair and HTTP make obvious the computer readable storage medium of claim 31. Greco further teaches wherein sending the version includes launching an instance of a web browser from the word processor and submitting the version through the browser to the translation service (C.12 lines 50-53). Greco lacks explicitly teaching the version as a second version. However, Thurmair teaches the second version (see claim 24). Therefore, at the time of the invention, it would have been obvious to modify Greco's browser instance of sending a request with Thurmair second version providing saved memory space during transmission and utilizing a well known method of online communication by Browser.

7. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Greco et al. (Greco, US 6,804,705) in view of Thurmair, and further in view of HTTP as applied to claim 31 above, and further in view of Bourbonnais et al. (US 6,338,033).

As per **claim 34**, Greco and Thurmair make obvious the computer-implemented method of claim 24, but the combination lack explicitly teaching wherein the second version is HTML,

However, Bourbonnais teaches HTML (translation services requiring HTML formatting of document for translation, see C.7 lines 15-30-his supported formats for translation as HTML). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify the combination of Greco, Thurmair and HTTP with Bourbonnais' HTML format for transmission and translation and presentation/display to the user, providing the benefit of a known format for electronic online document transmission for translation and reception by an interface/browser.

Allowable Subject Matter

8. Claims 24-27, 30, 33, 38-40 and 42-44 are allowed.
9. The following is an examiner's statement of reasons for allowance:

The instant application is deemed to be directed to a non-obvious improvement over the invention patented in Greco et al. (Greco, US 6,804,705) in view of Thurmair (EXCHANGE INTERFACES FOR TRANSLATION TOOLS, 1997), further in view of Hypertext Transfer Protocol, and further in view of Monster (US 7,548,846), wherein Greco teaches translations of word processing documents and having a translation service by redirector service connection. HTTP teaches hypertext protocol, and Monster teaches providing to a user content, such as advertisements, in the user's desired language.

Regarding claim 24, the non-obvious improvement comprising sending a POST request to the address received in the response to the GET request, wherein the **POST request includes the second version, the address** received in response to the GET request, the identifier of **the first language**, the identifier of **the second language and an identifier of a current user interface language of the word processor sending the POST request.**

in response to the POST request, receiving a translated second version from the translation service, wherein the translated second version includes the tags that point to the non- word processing elements saved on

the first version of the word processing document stored on the user computer, and the word processing text elements translated from the first language to the second language according to the identifier of the first language and the identifier of the second language of the POST request, **wherein any additional content from the translation service is in the current user interface language of the word processor according to the identifier of the current user interface language sent in the POST request;**

displaying the translated second version with the non-word processing text elements populated from the links, wherein the translated second version is displayed in a display format of the original pre-translated word processing document, **wherein any additional content from the translation service is displayed in the current user interface language of the word processor according to the identifier of the current user interface language sent in the POST request.**

Regarding claim 38, the non-obvious improvement comprising, **receiving a translated second version from the translation service,** wherein the translated second version **includes** the tags that point to the non-word processing elements saved on the first version of the word

processing document stored on the user computer, **the word processing text elements translated from the first language to the second language according to the identifier of the first language and the identifier of the second language, and additional content from the translation service in a language identified by the identifier of the current user interface language of the word processor;**

displaying the translated second version with the non-word processing text elements populated from the links, wherein the additional content from the translation service is displayed in the language identified by the identifier of the current user interface language of the word processor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

In response to the amendment filed 4/9/09, amending claims 24, without adding new matter, the application has been placed in condition for allowance.

10. Claims 25-27, 30, and 33 depend from claim 24, claims 39, 40 and 42-44 depend from claim 38, as claims 24 and 38 have been deemed allowable and thus the dependent claims are deemed allowable.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Monster (US 7,548,846) teaches displaying advertisements in a user desired language.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the

mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAMONT M. SPOONER whose telephone number is (571)272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571/272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David R Hudspeth/
Supervisory Patent Examiner, Art Unit 2626

lms
6/19/09